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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/004,062	10/31/2001	Anthony G.J. Parsons	200302168-1	6701

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EXAMINER

DIVECHA, KAMAL B

ART UNIT PAPER NUMBER

2151

DATE MAILED: 04/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/004,062

Applicant(s)

PARSONS ET AL.

Examiner

KAMAL B. DIVECHA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19 and 21-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19, 21-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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Response to Arguments

Claims 19, 21-26 are pending in this application.

In response filed on February 27, 2006, applicant has cancelled claims 1-18.

Drawings

The objections made with respect to drawings in the prior office action have been withdrawn.

Claim Objections

The objections made with respect to claims in the prior office action have been withdrawn.

Claim Rejections - 35 USC § 112

The 35 USC 112, second paragraph rejections presented in the prior office action has been withdrawn.

Applicant's arguments with respect to claims 19, 21-26 have been considered but are moot in view of the new ground(s) of rejection.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 19, 21-22 and 24-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lecheler et al., (hereinafter Lecheler, U. S. Patent No. 6,425,008 B1) in view of Burgess et al., (hereinafter Burgess, U. S. Patent No. 5,696,701).

As per claim 19, Lecheler discloses a computer system, comprising:

- an event manager (fig. 5 item #240; col. 8 L4-44); and
- mid-level managers coupled to said event manager (fig. 5 item #220, 222, 224; col. 7 L62 to col. 8 L35); wherein said mid-level managers are adapted to receive error messages from disparate client monitoring agents (fig. 5 item #200, 202, 206, 208, 210; col. 5 L7-12; col. 6 L26-

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30; col. 6 L44-56; col. 7 L55-61), said error messages comporting with a standardized format (col. 6 L26-30) that includes a business string, said business string includes a plurality of fields of information including customer identifier and description of the error (col. 4 L40-42 and col. 6 L5-30), however, Lecheler does not disclose the system wherein the error messages includes a product type in one of the plurality of fields of information.

Burgess, from the same field of endeavor, discloses the system for monitoring the performance of computers in computer networks and sending the error messages in a common format that includes plurality of fields of information including a product type (col. 4 L27-44, col. 5 L24-64, col. 6 L11-26, col. 7 L1-67, col. 12 L15-21).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to incorporate the teaching of Burgess as stated above with Lecheler, in order to include a product type in one of the plurality of fields of information in an error message.

One of ordinary skilled in the art would have been motivated because this information would have been used to track configuration changes such as software updates and hardware upgrades for monitored computer (Burgess, col. 5 L24-59).

As per claim 21, Lecheler discloses the system wherein said plurality of fields of information in the business string includes an agent and a manager identifier (col. 4 L15-65 and fig. 4b item #118, 120 and 122), however Lecheler does not disclose the system wherein the plurality of fields of information in the business string includes a business designation indicative of a business type of system and a managed object type.

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Burgess, from the same field of endeavor discloses the system and the process of sending an error messages in a common format that includes plurality of information fields such as a the registered owner of the system, the registered organization (i.e. a business designation indicative of a business type), processor type (i.e. a managed object type), service type (i.e. another managed object type), etc. (col. 5 L10-67, col. 6 L4-10).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Lecheler in view of Burgess, in order to include information such as a business type and a managed object type in the error message, since Burgess teaches sending this information to a central console or monitoring and tracking listener.

One of ordinary skilled in the art would have been motivated because it would have filtered events based upon the plurality of information fields in the error message (Burgess, col. 6 L26-39). Also, One of ordinary skilled in the art would have been motivated because of the same reasons as set forth in claim 19.

As per claim 22, Lecheler does not disclose the system wherein said product type is indicative of a product selected from the group consisting of an operating system, a hardware component, a network device, an application and a security feature.

Burgess discloses the system and the process of reporting the events that includes plurality of fields of information such as product type, and wherein the product type is selected from a group consisting an operating system, the processor type, the service type (i.e. information gathered includes information regarding each service type including security service and other application services), the driver type, etc. (col. 5 L24 to col. 6 L10).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Lecheler in view of Burgess, in order to identify the product type from a group consisting of an operating system, hardware component, network device, application and a security feature, since Burgess teaches the process of acquiring the information regarding all this components and/or services.

One of ordinary skilled in the art would have been motivated because of the same reasons as set forth in claim 19.

As per claim 24, Lecheler in view of Burgess does not the system wherein a value of said business designation is selected from a group of values representing business types of system consisting of production, solutions testing, development, and a disaster recovery, but most of the business organization and/or corporate networks are divided into branches such as development, solution testing, production, and disaster recovery. These divisions are the major branches of a business organization and are obvious in the relevant art. Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Lecheler in view of Burgess in order to designate a business type from a group of business types consisting of development, solution testing, production, and disaster recovery. One of ordinary skilled in the art would have been motivated because this would have determined the source of the event and it would have enabled an administrator to filter the events based on the business types (i.e. it would have enabled an administrator to take an appropriate action on the most critical system in a hierarchical manner such as production first, disaster recovery second, etc.).

As per claim 25, Lecheler does not explicitly disclose the method wherein error message also includes an error event identifier and a severity level.

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Burgess, from the same field of endeavor, explicitly discloses the method wherein each event is associated with an event identification number (col. 6 L26-31) and a severity level (col. 6 L50-67 to col. 7 L1-3).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to incorporate the teaching of Burgess as stated above with Lecheler for the purpose of including event identifier and a severity level.

One of ordinary skilled in the art would have been motivated because doing so would have identified particular events because of the multiple events monitored by the system (Burgess, col. 6 L26-39) and would have also provided a priority of fixing the error or taking an action corresponding to the error by identifying error as harmless, medium severity or critical and notifying the administrator.

2. Claims 23 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lecheler et al., (hereinafter Lecheler, U. S. Patent No. 6,425,008 B1) in view of Burgess et al., (hereinafter Burgess, U. S. Patent No. 5,696,701), and further in view of Hirosawa et al. (U. S. Patent No. 5,237,677).

As per claim 23, Lecheler in view of Burgess does not disclose the system wherein said product type is indicative of a type corresponding to the product code.

Hirosawa, from the same field of endeavor, discloses sending error messages in a standard format, wherein the error messages including a plurality of information fields including a product type and wherein the product type is indicative of type corresponding to the product code (col. 13 L5-57 and fig. 6 item #16c).

Therefore, it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to incorporate the teaching of Hirosawa as stated above with Lecheler in view of Burgess, in order to associate product type corresponding to the product code.

One of ordinary skilled in the art would have been motivated because it would simply indicated the types of faults such as hardware or software faults in the system (Hirosawa, col. 13 L710, L34-40).

As per claim 26, Lecheler in view of Burgess disclose the system wherein said error messages includes a server identifier and description of error (i.e. error message, Lecheler, col. 4 L15-65 and fig. 4b item #118, 120 and 122), event identifier (Burgess, col. 6 L26-31), severity level (Burgess, col. 6 L50-67 to col. 7 L1-3), however, Lecheler in view of Burgess does not disclose the system wherein the error message include a date and time.

Hirosawa, from the same field of endeavor, includes sending error messages from one date processing system to another in a standard format, wherein the error messages include information such as a date and time (Hirosawa, fig. 6 item #16b), a server identifier (Hirosawa, fig. 6 item #162) and an error message (Hirosawa, fig. 6 item #16e and 16d).

Therefore it would have been obvious to a person of ordinary skilled in the art at the time the invention was made to modify Lecheler in view of Burgess, and further in view of Hirosawa, in order a date and timestamp in the error messages.

One of ordinary skilled in the art would have been motivated because it would have simply indicated the date and time of the occurrence of the faults.

Additional References

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- a. Gardiner et al., U. S. Patent No. 5,740,357.
- b. Ritche, U. S. Pub. No. 2002/0194319 A1.
- c. Komori et al., U. S. Patent No. 5,928,328.
- d. Nakamura, U. S. Patent No. 6,446,134 B1: Network Management System.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to KAMAL B. DIVECHA whose telephone number is 571-272-5863. The examiner can normally be reached on Increased Flex Work Schedule.

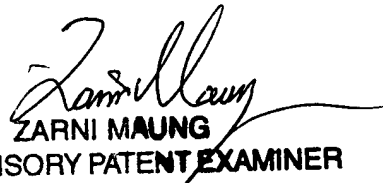
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung can be reached on 571-272-3939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kamal Divecha
Art Unit 2151
April 3, 2006.



ZARNI MAUNG
SUPERVISORY PATENT EXAMINER